

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

AARON W. COATS,

Plaintiff,

vs.

CRISWELL KENNEDY,

Defendant.

NO: CV-12-366-CI

ORDER ADOPTING REPORT AND
RECOMMENDATION, DISMISSING
COMPLAINT WITHOUT PREJUDICE
AND DIRECTING THAT
COLLECTION OF THE FILING FEE
CEASE

Magistrate Judge Imbrogno filed a Report and Recommendation, ECF No. 14, recommending Mr. Coats' Motion to Voluntarily Dismiss Complaint be granted. Defendants have not been served. There being no objections, the Court **ADOPTS** the Report and Recommendation. Plaintiff's Motion, ECF No. 13, is **GRANTED** and the Complaint is **DISMISSED WITHOUT PREJUDICE**.

On August 15, 2012, Plaintiff also submitted a Motion, ECF No. 15, and an Affidavit, ECF No. 16, to waive the remaining balance of the filing fee. For good cause shown, **IT IS ORDERED** Plaintiff's Motion, ECF No. 15, is **GRANTED** ORDER ADOPTING REPORT AND RECOMMENDATION, DISMISSING COMPLAINT WITHOUT PREJUDICE AND DIRECTING THAT COLLECTION OF THE FILING FEE CEASE -- 1

1 and the institution having custody of Mr. Coats shall cease collection of the filing
2 fee in this action, cause number **CV-12-366-CI**.

3 **IT IS SO ORDERED.** The District Court Executive is directed to enter this
4 Order, enter judgment of dismissal without prejudice, forward a copy to Plaintiff
5 and close the file. The District Court Executive is further directed to send a copy
6 of this Order to the Office of the **Department of Corrections, Attn: LFO/COS**
7 **UNIT, P.O. Box 41107, Olympia, WA 98504-1107**, to forward to the appropriate
8 agency having custody of Plaintiff. The District Court Executive also **shall**
9 provide a copy of this Order to the Financial Administrator for the United States
10 District Court, Eastern District of Washington.

11 **DATED** this 6th day of September, 2012.

12 *s/ Thomas O. Rice*
13 THOMAS O. RICE
United States District Court Judge

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ORDER ADOPTING REPORT AND RECOMMENDATION, DISMISSING
COMPLAINT WITHOUT PREJUDICE AND DIRECTING THAT
COLLECTION OF THE FILING FEE CEASE -- 2